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10 Attorneys for Defendants,  
11 TESLA, INC. DBA TESLA MOTORS, INC.

12  
13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA

15 DEMETRIC DI-AZ, OWEN DIAZ AND  
16 LAMAR PATTERSON

17 Plaintiffs,

18 v.

19 TESLA, INC. DBA TESLA MOTORS,  
INC., CITISTAFF SOLUTIONS, INC.;  
20 WEST VALLEY STAFFING GROUP;  
CHARTWELL STAFFING SERVICES,  
21 INC.; NEXTSOURCE, INC.; and  
DOES 1-10, inclusive

22 Defendants.

Case No. 17-cv-06748-WHO

**DECLARATION OF PATRICIA M. JENG IN  
SUPPORT OF DEFENDANT TESLA, INC.'S  
MOTION PARTIAL SUMMARY JUDGMENT  
AS TO THE CLAIMS FOR UNRUH CIVIL  
RIGHTS ACT AND PUNITIVE DAMAGES**

Date: December 18, 2019  
Time: 2:00 p.m.  
Courtroom: 2, 17<sup>th</sup> Floor  
Judge: Hon. William H. Orrick

Trial date; March 2, 2020  
Complaint filed: October 16, 2017

[Filed concurrently with Notice of Motion,  
Memorandum of Points and Authorities, the  
Declaration of Jeremie Hansen, and Proposed  
Order]

**DECLARATION**

I, Patricia M. Jeng, declare as follows:

1. I am currently an attorney with the law firm Sheppard Mullin Richter & Hampton, LLP which serves as Defendant Tesla, Inc.'s ("Tesla") attorneys of record in the above-captioned matter. I am a member in good standing of the State Bar of California. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, could and would testify competently to such facts under oath.

2. **Exhibit 1** to this declaration consists of true and correct copies of relevant excerpts and exhibits from the deposition of Owen Diaz, taken in the above captioned matter on May 22, 2018, which is marked as "confidential" pursuant to the Stipulated Protective Order and therefore is filed under seal pursuant to the terms of the Stipulated Protective Order.

3. **Exhibit 2** to this declaration consists of true and correct copies of relevant excerpts and exhibits from the deposition of Owen Diaz, taken in the above captioned matter on December 3, 2018, which is marked as "confidential" pursuant to the Stipulated Protective Order and therefore is filed under seal pursuant to the terms of the Stipulated Protective Order.

4. **Exhibit 3** to this declaration consists of true and correct copies of relevant excerpts and exhibits from the deposition of Owen Diaz, taken in the above captioned matter on June 21, 2019.

5. **Exhibit 4** to this declaration consists of true and correct copies of relevant excerpts and exhibits from the deposition of Demetric Di-az, taken in the above captioned matter on May 15, 2018, which is marked as "confidential" pursuant to the Stipulated Protective Order and therefore is filed under seal pursuant to the terms of the Stipulated Protective Order.

6. **Exhibit 5** to this declaration consists of true and correct copies of relevant excerpts and exhibits from the deposition of Demetric Di-az, taken in the above captioned matter on December 4, 2018, which is marked as "confidential" pursuant to the Stipulated Protective Order and therefore is filed under seal pursuant to the terms of the Stipulated Protective Order.

7. **Exhibit 6** to this declaration consists of true and correct copies of relevant excerpts from the deposition of one of Tesla' 30(b)(6) designees, Annalisa Heisen, taken in the above

1 captioned matter on May 29, 2019.

2 8. **Exhibit 7** to this declaration consists of true and correct copies of relevant excerpts  
3 from the deposition of Monica DeLeon, taken in the above-captioned matter on December 6,  
4 2018.

5 9. **Exhibit 8** to this declaration consists of true and correct copies of relevant excerpts  
6 from the deposition of Tomatsu Kawaski, taken in the above captioned matter on October 9, 2019.

7 10. **Exhibit 9** to this declaration consists of true and correct copies of relevant excerpts  
8 from the deposition of Edward Romero, taken in the above captioned matter on November 30,  
9 2018.

10 11. **Exhibit 10** to this declaration consists of true and correct copies of relevant  
11 exhibits to the deposition of Edward Romero, taken in the above captioned matter on November  
12 30, 2018, which were marked as “confidential” pursuant to the Stipulated Protective Order and  
13 therefore are filed under seal pursuant to the terms of the Stipulated Protective Order.

14 12. **Exhibit 11** to this declaration consists of true and correct copies of relevant  
15 excerpts from the deposition of one of Tesla’s 30(b)(6) designees, Victor Quintero, taken in the  
16 above captioned matter on June 7, 2018.

17 13. **Exhibit 12** to this declaration consists of true and correct copies of exhibits from  
18 the deposition of Victor Quintero, taken in the above captioned matter on June 7, 2018, which  
19 were marked as “confidential” pursuant to the Stipulated Protective Order and therefore are filed  
20 under seal pursuant to the terms of the Stipulated Protective Order.

21 14. **Exhibit 13** to this declaration consists of true and correct copies of relevant  
22 excerpts from the deposition of Wayne Jackson, taken in the above captioned matter on May 17,  
23 2019.

24 15. **Exhibit 14** to this declaration consists of true and correct copies of relevant  
25 excerpts from the deposition of one of Tesla’s 30(b)(6) designees, Javier Caballero, taken in the  
26 above captioned matter on June 7, 2018.

27 16. **Exhibit 15** to this declaration consists of true and correct copies of relevant  
28 excerpts from the deposition of Ledesma Ludivina, taken in the above captioned matter on June 6,

1 2019.

2 17. **Exhibit 16** to this declaration consists of true and correct copies of relevant  
3 excerpts from the deposition of Teresa Kossayian, taken in the above captioned matter on April  
4 24, 2019.

5 18. **Exhibit 17** to this declaration consists of true and correct copies of relevant  
6 exhibits from the deposition of Wayne Jackson, taken in the above captioned matter on May 17,  
7 2019, which were marked as “confidential” pursuant to the Stipulated Protective Order and  
8 therefore are filed under seal pursuant to the terms of the Stipulated Protective Order.

9 I declare under penalty of perjury under the laws of the United States of America that the  
10 foregoing is true and correct.

11 Executed this 29th day of October 2019, at San Francisco, California.

12  
13 /s/ Patricia M. Jeng

14 Patricia M. Jeng  
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